


MIAMIBEACH
POLICE

	STANDARD OPERATING PROCEDURE	SOP #014
	PURSUIT AND EMERGENCY OPERATIONS OF POLICE VEHICLES	
	CALEA Standard(s): 1.3.2; 41.2.1; 41.2.2a,b,c,d,e,f,g,h,i,j; 41.2.3; 82.2.4	

PURPOSE: To establish guidelines for emergency and pursuit vehicle operations.

SCOPE: This Standard Operating Procedure (SOP) applies to all employees of the Department.

POLICY: It is the policy of the Department to consider the welfare and safety of officers, the general public and suspect when utilizing Department vehicles in emergency and pursuit situations.

Florida Statutes (FS) 316.072 and 316.126 recognize this facet of police operations and specify the conditions and privileges that operators of authorized emergency vehicles must adhere to. The statutes shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway. Nothing in this policy shall prevent the shift commander from affirmatively waiving any provisions of this policy as the gravity of the circumstances dictate.

PROCEDURE:

I. Decision to Pursue [41.2.2a]

- A.** Pursuits shall be initiated only when an officer has a reasonable belief that a violent felony has been or will be committed. All other pursuits are prohibited.
- B.** A violent felony involves violence or the threat of violence to another person. Such crimes include murder, manslaughter, kidnapping, armed robbery, sexual battery, aggravated battery, aggravated assault or any other felony which includes the use or threat of physical force or violence to a person.
- C.** Engaging in a pursuit is tantamount to the decision to use deadly force.
- D.** Officers and supervisors shall use their judgment based on their training and experience when and if a decision to pursue is undertaken.
- E.** In reaching the decision to pursue, officers and supervisors shall consider if the seriousness of the offense warrants a pursuit, whether the need for apprehension justifies a pursuit and if a pursuit under the existing conditions presents an unreasonable hazard to life and property.
- F.** Marked or unmarked police vehicles not equipped with emergency equipment shall not engage in pursuits.
- G.** Unmarked police vehicles, motorcycles and other specialized police vehicles designed for highway use and equipped with siren and emergency lights may engage in pursuits only with a supervisor's permission and only until such time as assistance can be obtained from a marked vehicle equipped with emergency lights and siren. [41.2.2d]
- H.** Officers shall not initiate or engage in a pursuit while transporting non-sworn persons or other off-duty law enforcement personnel (prisoners, witnesses, civilian observers).

II. Pursuit Procedure [41.2.1]

- A.** The conditions and privileges that authorized emergency vehicle drivers must obey are contained in FS 316.072(5), Authorized Emergency Vehicles.
- B.** No more than two (2) police vehicles shall be actively involved in a pursuit, unless specifically directed otherwise by the supervisor controlling the pursuit. Police vehicles involved in a pursuit shall be known as:
 - 1.** Primary unit - this shall generally be the initiating officer, but in all cases the unit in closest proximity to the fleeing vehicle;
 - 2.** Support (secondary) unit - an officer who trails the primary unit at a safe distance and is immediately available to assume the pursuit or assist the primary unit in the event the fleeing vehicle is stopped; **[41.2.2c]**
 - 3.** Back-up units - all other officers, with the exception of the primary and support units that are cognizant of the pursuit.
 - a.** Back-up units shall remain alert to the direction and progress of the pursuit and may position themselves at strategic sites along the probable pursuit route or on parallel roadways for response to any exigencies that may develop.
- C.** Caravanning of vehicles shall be prohibited.
- D.** The officer initiating a pursuit shall immediately notify the Public Safety Communications Unit (PSCU), via radio, that a pursuit is underway and provide the following, when possible: **[41.2.2b]**
 - 1.** Unit number;
 - 2.** Location, direction of travel and estimated speed;
 - 3.** Vehicle description including color, make, model and license tag number;
 - 4.** The specific reason for the pursuit, including laws violated;
 - 5.** Number and description of occupants;
 - 6.** Description of vehicle being operated by the officer, if unmarked.
- E.** The primary unit shall reduce the level of pursuit to that of a support or backup unit when:
 - 1.** The fleeing vehicle comes under the surveillance of an air unit;
 - 2.** Another police vehicle is in closer proximity to the pursued vehicle.
- F.** The following actions shall be prohibited:
 - 1.** Deliberate officer initiated contact between vehicles,
 - 2.** Forcing the pursued vehicle into parked cars, ditches or other obstacles;
 - 3.** Boxing in;
 - 4.** Pit maneuvers;
 - 5.** Heading off;
 - 6.** Ramming;
 - 7.** Driving alongside the pursued vehicle while it is in motion.
- G.** Pursuits shall be primarily "following" actions. Reckless or hazardous driving maneuvers shall not be duplicated by any pursuing officer.
- H.** The support unit shall not attempt to pass the primary unit unless permission is received from the primary unit or a supervisor.
- I.** All units in pursuit shall space themselves at a distance that shall ensure adequate braking distance.

J. Officers engaged in a pursuit shall:

1. Operate the vehicle in a manner that does not endanger life and property;
2. Drive with due regard for the safety of all persons using the highway.

K. Road blocks are prohibited during pursuits. [41.2.3]

L. Radio transmissions shall be restricted to the primary and secondary units and incidents of an emergency nature. Back-up units shall not advise their location or other information unless necessary for apprehension efforts. To ensure clarity of transmissions, the primary unit shall roll up the windows of his police vehicle.

M. Officers shall make every effort not to place themselves in positions that would increase the possibility that the vehicle being approached or which is approaching the officer, can be used as a deadly weapon.

III. Use of Firearms During Pursuits [1.3.2]

A. The firing of shots from or at a moving vehicle is prohibited unless:

1. The officer has exhausted all means possible to remove themselves from the pathway of the vehicle; and
2. The officer has determined that shooting the driver and/or occupants is the only action the officer can take to prevent the imminent danger of death or serious physical injury to himself, other officers or another person.

IV. Termination of Pursuit [41.2.2g]

A. Primary and support units shall immediately terminate the pursuit when:

1. The offense is determined to be a traffic infraction, misdemeanor or non-violent felony;
2. The distance between the officer and fleeing vehicle is so great that further pursuit is futile;
3. The officer loses sight of the fleeing vehicle for an extended period of time (approximately fifteen (15) seconds or more);
4. A supervisor orders the pursuit terminated;
5. There is equipment failure involving the emergency equipment, police radio, brakes, steering or other essential mechanical equipment;
6. There is a clear and present danger to the officer, fleeing motorist and/or other persons. A clear and present danger exists when speeds dangerously exceed the normal flow of traffic or when vehicular or pedestrian traffic necessitates dangerous maneuvering, exceeding the performance capabilities of the vehicle and/or driver.

B. Consideration should be given to termination of the pursuit when:

1. Environmental factors such as rain, fog or poor lighting conditions substantially increase the danger of the pursuit;
2. The officer is unfamiliar with the area and unable to accurately notify the PSCU of his location and direction of the pursuit;
3. Roads are congested with traffic (vehicular or pedestrian), especially during rush hours or in school/playground areas;
4. The violator proceeds the wrong way on any street or highway.

C. Any officer who believes that the pursuit should be terminated shall immediately advise PSCU.

V. Multi-Jurisdictional Pursuit [41.2.2h]

A. When an officer is in pursuit into another agency's jurisdiction, PSCU shall notify that agency and specify, as instructed by a sworn supervisor, that:

1. The call is for assistance; or,
 2. The call is a notification with no participation requested.
- B.** Requests by other agencies for pursuit assistance shall be relayed to a supervisor for evaluation.
- C.** Officers shall not become involved in another agency's pursuit unless:
1. Authorized by a Department supervisor;
 2. It is clearly demonstrated that a lone unit from an outside agency is unable to request assistance;
 3. It is clear that an emergency exists which necessitates immediate intervention and assistance.
- D.** Officers shall maintain a back-up unit role unless circumstances change that require an officer to assume a primary or support unit role.
- E.** Once the offender has been stopped and back-up units from the concerned agency arrive, a supervisor shall assign an officer to remain on the scene and prepare the applicable reports. All other officers shall clear the scene and return to their assignments

VI. Supervisory Responsibilities [41.2.2f]

- A.** Supervisors shall assert control by immediately acknowledging the pursuit, monitoring the pursuit and taking the necessary actions to ensure compliance with this policy.
- B.** The supervisor controlling the pursuit shall ensure that:
1. The authorized number of units involved in the pursuit is based on:
 - a. The nature of the offense;
 - b. The number of suspects;
 - c. Other factors which would warrant additional units.
 2. The proper radio channel is being used;
 3. Air support has been requested, if applicable.
- C.** The supervisor shall order the pursuit terminated if, in the supervisor's judgment, a serious hazard is present to the public and/or pursuing officers.
- D.** Supervisors shall consider that the hazards of pursuing in a specialized police vehicle are greater than in a marked police vehicle.
- E.** The supervisor controlling the pursuit shall respond immediately to the location where the pursuit ends and assume command at the scene.
- F.** The supervisor controlling the pursuit shall ensure that the officer initiating the pursuit completes an OIR.

VII. Public Safety Communications Unit [41.2.2e]

- A.** The Dispatcher shall:
1. Advise units on the applicable frequency that a pursuit is in progress and provide all relevant information;
 2. Direct radio communications during the pursuit and monitor the applicable interoperability channels;
 3. Receive and report incoming information on the pursued vehicle;
 4. Notify the affected area patrol supervisors when a pursuit is initiated;
 5. Coordinate assistance under the direction of the affected supervisor or ranking supervisor assuming command;

6. Perform relevant record and motor vehicle checks;
7. Monitor the pursuit until it has been terminated.
 - a. If the pursuit travels beyond the current radio coverage area, the pursuing units shall immediately switch their radio channel to the Mutual Aid channel (MA-CALL).

VIII. Motor Vehicle Pursuit Report [41.2.2i]

- A. The primary unit shall be responsible for completing the “**Motor Vehicle Pursuit Report**” form and forwarding it to his immediate supervisor as soon as possible, but in all cases, prior to the end of his shift.
- B. Additional officers involved in the pursuit may, at the discretion of the supervisor, be required to complete a Narrative Continuation Report (NCR) detailing their involvement.
- C. The supervisor who commanded the pursuit shall submit a written “**After Action Report**” form of the pursuit, via chain of command, to the Chief of Police within seventy-two (72) hours after the incident. The After Action Report shall include: [41.2.2i]
 1. Fact Summary – a detailed summary of the facts;
 2. Remote Factors – weather and visibility conditions, road type and surface conditions, lighting (day/night), traffic density (vehicle/pedestrian) and any other environmental conditions;
 3. Emergency Equipment – description of the police vehicles involved, types of emergency equipment present and activated;
 4. Number of Police Vehicles – number involved, including unit numbers;
 5. Radio Procedures – summary of radio procedures used;
 6. Offensive Tactics – description of offensive tactics, if applicable;
 7. Firearms – description of the circumstances and facts surrounding the use of firearms, if applicable;
 8. Supervisory Actions – participation and actions taken by the supervisor in charge;
 9. Critique – analysis of the pursuit to determine policy compliance;
 10. Conclusion – a summary of the supervisor’s findings.
- D. All reports, including OIR, “**Motor Vehicle Pursuit Report**” form, “**Complaint/Arrest Affidavit**” form shall be attached to the “**After Action Report**” form.
- E. The supervisor shall complete an “**Audio Tape Request Form**” and submit it with the “**After Action Report**” form.
- F. The original copy of the “**After Action Report**” form shall be filed with the Patrol Division Commander. [82.2.4]
- G. The Patrol Division Commander shall conduct an annual analysis of all pursuits. The report shall include an analysis of all pursuits with particular emphasis on patterns or trends that may indicate training needs, equipment, tactics and/or policy modification. The report shall be forwarded to the Chief of Police by February 1st, of each year. [41.2.2j]

IX. Emergency Operations [41.2.1]

- A. Code 3 is a mode of response to incidents which have the potential for great bodily harm or death if the officer does not arrive expeditiously.
- B. Code 3 calls shall be prefixed with a “3” and be preceded with the following alert tone;
 1. Warble tone – officer needs emergency assistance (3-15);
 2. High pitch tone – all other Code 3 calls.

- C. Officers assigned to or responding to Code 3 calls shall use all emergency equipment.
- D. Officers responding Code 3 may:
 - 1. Exceed the speed limit provided it does not endanger life or property;
 - 2. Proceed past traffic control devices only after slowing down as may be necessary for safe operation;
 - 3. Disregard traffic regulations governing movement provided it does not endanger life or property.
- E. The first unit arriving on the scene shall notify PCSU of the appropriate mode of response for other units.
- F. Officers shall not respond in Code 3 unless:
 - 1. Directed to respond to the call in Code 3; and,
 - 2. Driving a police unit with operating emergency equipment.
- G. Only sworn personnel shall respond to Code 3 calls.
- H. No person shall order an officer to respond Code 3 unless the call/incident clearly falls under the definition of a Code 3 call.
- I. Calls which do not fall under Code 3 guidelines shall be designated routine calls.
 - 1. Officers responding to a routine call shall:
 - a. Obey all traffic rules and regulations;
 - b. Drive in a defensive manner;
 - c. Use seatbelts.

DEFINITIONS:

AUTHORIZED EMERGENCY VEHICLE – A police vehicle equipped with emergency equipment.

EMERGENCY EQUIPMENT – Siren, red and/or blue flashing/revolving lights, headlights and seatbelts.

MARKED POLICE VEHICLE – A police vehicle which is marked or identified with an insignia, regulation color, equipped with red and/or blue flashing/revolving lights and a siren.

PURSUIT – An active attempt by an officer in an authorized emergency vehicle to apprehend occupants of a moving motor vehicle, provided that the driver of such vehicle is aware of the attempt and increases vehicle speed and/or takes other evasive actions in an attempt to avoid apprehension.

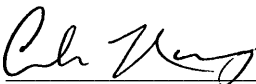
SPECIALIZED POLICE VEHICLES – Motorcycles, jeeps, prisoner transport vans and other specialized police vehicles equipped with siren and emergency lights.

UNMARKED POLICE VEHICLE – Any Department vehicle not defined as a marked/specialized police vehicle.

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APPROVED BY:



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References to Forms

After Action Report

Audio Tape Request

Motor Vehicle Pursuit Report